

PATENT
450100-4780.1**REMARKS**

This Request is responsive to the Final Office Action dated June 16, 2004. Claims 35-68 were pending in the application. In the Final Office Action, claims 35-68 were rejected. Claims 35-68 thus remain for consideration.

Applicant submits that claims 35-68 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

Double Patenting Rejections

Claims 35-68 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,349,324.

As noted by the Examiner, a timely filed Terminal Disclaimer may be used to overcome the double patenting rejections provided the conflicting patent is shown to be commonly owned with the present application.

In the present case, the conflicting patent (U.S. Patent No. 6,349,324) is commonly owned with the application and Applicant has elected to file a Terminal Disclaimer. Accordingly, Applicant requests that the double patenting rejections be withdrawn.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.


PATENT
450100-4780.1

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By 
William S. Frommer
Registration No. 25,506
(212) 588-0800